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<div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 150px;">JULY 28, 2023</div>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 KIEON JOE'L CHERRY
14 Defendant.

Case No. 2:21-cr-247-ART-NJK

**ORDER GRANTING STIPULATION
FOR PRE-SENTENCE PAYMENT
TOWARD RESTITUTION**

15 The parties, pursuant to 28 U.S.C. §§ 2041-2042, hereby stipulate to the pre-
16 sentence deposit of funds to be withdrawn and applied toward Defendant Kieon Cherry's
17 restitution amount in this matter at the time judgment is entered. The stipulation is based
18 on the following:

19 1. On September 8, 2021, Defendant Kieon Cherry ("Cherry") was
20 indicted on one count of depredation against property of the United States in violation
21 of 18 U.S.C. § 1361 and 2. ECF No. 24.

22 2. The parties have entered into a signed Plea Agreement, wherein Cherry will
23 plead to a one-count information charging him with depredation against property of the
24 United States in violation of 18 U.S.C. § 1361 and 2.

1 3. Pursuant to the Plea Agreement, Cherry agreed to “voluntarily release
2 funds and property under defendant’s control or in which defendant has any property
3 interest, before and after sentencing, to pay any fine or restitution identified in this
4 agreement, agreed to by the parties, or ordered by the Court.” Cherry further agreed to
5 “make a payment at or before the time of entry of plea in the amount in the amount of
6 \$1,237.”

7 4. The parties have conferred and hereby stipulate to the pre-sentence deposit of
8 restitution funds with the Clerk of Court, to be held until the Judgment is entered in this
9 matter by the Court.

10 5. The parties seek an order directing the Clerk of Court to accept Cherry’s pre-
11 sentence payments for restitution. Pursuant to 28 U.S.C. § 2041, the Clerk of Court is
12 authorized to accept and hold such funds on behalf of Cherry until the time of sentencing.
13 Further, pursuant to 28 U.S.C. § 2042, the parties request an order that upon the entry of a
14 criminal judgment in this case, the Clerk of Court is to withdraw and apply the deposited
15 funds to the criminal financial obligations, including restitution, imposed against Cherry
16 in the sequence established in 18 U.S.C. § 3612(c).

17 6. Cherry may submit payment by cash, cashier’s check, or money order
18 made payable to “Clerk, U.S. District Court” with “2:21-cr-00247-ART-NJK” noted on
19 each payment mailed or delivered to:

20 Clerk of the Court, District of Nevada
21 333 Las Vegas Boulevard, South
22 Room 1334
23 Las Vegas, Nevada 89101
24

1 WHEREFORE, the parties stipulate for an order directing the Clerk of Court to
2 accept pre-sentence payments to be held on deposit until judgment is entered, and thereafter
3 applied toward the criminal monetary penalties, including restitution, imposed in this
4 matter as provided by law and in accordance with the Clerk's standard operating
5 procedures.

6 Respectfully submitted this 27th day of July 2023.

7 JASON M. FRIERSON
8 United States Attorney

9 /s/ Kimberly A. Sokolich
10 KIMBERLY A. SOKOLICH
Assistant United States Attorney

11
12 /s/ Yi-Lin Zheng
13 YI-LIN ZHENG
14 Attorney for Defendant KIEON CHERRY

15 IT IS SO ORDERED:

16 

17 ANNE R. TRAUM
18 UNITED STATES DISTRICT JUDGE
19 DATED: July 28, 2023
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21
22
23
24